

Serial: 153904

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99001-SCT

IN RE: THE RULES OF CIVIL PROCEDURE

ORDER

This matter is before the Court sitting en banc on the Court's own motion to amend the Waiver of Process Form 1E of the Rules of Civil Procedure. After due consideration, the Court finds that the proposed amendment should be approved.

IT IS THEREFORE ORDERED that the Waiver of Process Form 1E of the Rules of Civil Procedure is amended as set forth in Exhibit A to this Order.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this Order upon the minutes of the Court and shall forward a true certified copy hereof to West Publishing Company for publication in the next edition of the *Mississippi Rules of Court* and in the *Southern Reporter, Second Series, (Mississippi Edition)*.

SO ORDERED, this the 24th day of March, 2009.

/s/ George C. Carlson, Jr.

GEORGE C. CARLSON, JR.,
PRESIDING JUSTICE

AGREE: ALL JUSTICES.

Exhibit A
FORM 1E. WAIVER OF PROCESS

IN THE _____ COURT OF COUNTY, MISSISSIPPI

A.B. Plaintiff

v.

Civil Action, File No. _____

C.D. Defendant

WAIVER OF PROCESS

The undersigned (name), whose post office address is _____ and whose street address is _____, does hereby waive the service of summons and (designate any pleading on which service is being waived) upon myself in this cause.

In executing this document I certify that I am not an unmarried minor and am not mentally incompetent, ~~and am not a convict of any felony.~~

(In addition the person executing the waiver may add any or all of the following to the document:)

[Furthermore, by the filing of this document, I enter my appearance in this cause]

just as if I had been served more than 30 days prior to this date]

[and agree that this action may be heard and disposed of without further notice to me]

[and join in this action and in the prayer for relief]

This the ___ day of _____, 1920.

Name

STATE OF _____)
COUNTY OF _____)

Personally appeared before me, the undersigned authority for the jurisdiction aforesaid, the within named _____ who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand this the ___ day of _____, 1920.

Notary Public

My Commission Expires:

[In lieu of the above acknowledgment the following oath may be used:]

STATE OF _____)
COUNTY OF _____)

Personally appeared before me the undersigned authority in and for the jurisdiction aforesaid the within named _____ who, being first by me duly sworn, states on oath that the matters and facts set forth in the foregoing instrument are true and correct as therein stated.

Name

Sworn to and subscribed before me this the __ day of ____, 1920.

Notary Public

My Commission Expires:

[Adopted effective February 1, 1990; amended effective July 1, 2009 to delete convicted felony exception.]